

U.S. Patent Application Serial No. **09/740,873**
Response Under 37 C.F.R. §1.111 dated September 5, 2003
Reply to the Second Rejection of June 5, 2003

REMARKS

Claims 1 - 12 remain pending in the present application. No amendments were made by the present response. Reconsideration of the claims is respectfully requested in view of the following discussion.

Rejections Under 35 U.S.C. §102

Claims 1 - 8, 10, and 11 were rejected under 35 USC §102 over **Sobue** (USP 5,610,728). It is submitted that nothing in the cited prior art teaches or suggests all of the features recited in the present claimed invention.

For instance, independent claim 1 recites a tray selection unit that selects one of the plurality of trays corresponding to the printing job data “based on the alternative table in the case where the paper corresponding to the paper information specified by the printing job data is not stored in any one of the plurality of trays, each of the trays having at least a paper size or paper type as identified in the tray set table.”

In particular, independent claim 1 recites a specific situation wherein “the paper corresponding to the paper information specified by the printing job data is not stored in any one of the plurality of trays.” The teachings of **Sobue** do not address this claimed feature. **Sobue** only discloses the determination of the paper size based on the comparison of the *image size* to various number of line values. There is no checking for whether “the paper corresponding to the paper information specified by the printing job data is not stored in any one of the plurality of trays.”

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As recognized in the Office Action, when the “image size is larger than paper sizes mounted in trays 9 and 10, the paper deck control unit 32 will divide the print image data and use two A4 size paper from tray 10 to print the entire image as required in the print data.” The determination of the paper size to use is based on a calculation of the *image size*. This is described, for example, in Figure 3 and its corresponding descriptions in **Sobue**. In particular, the number of lines in the image signal is counted (step S8), and the resulting number of lines is compared with the maximum number of lines supported in an A4 paper size, the maximum number of lines supported in a B4 paper size, as well as being compared to an intermediate number of lines value between the A4 and B4 maximum number of lines. The specific paper size, *e.g.*, A4 or B4, is determined *after* such comparisons of the image size to these various number of line values.

Sobue does not check if the paper specified by the printing job is actually in the tray or not. **Sobue** does not rely on any paper size information specified in the printing job data. On the contrary, **Sobue** always calculates the appropriate paper size, the need for reduction, and the need for two sheets of paper, all based image size comparisons. As mentioned above, **Sobue** does not check for whether “the paper corresponding to the paper information specified by the printing job data is not stored in any one of the plurality of trays.” For at least these reasons, the present claimed invention patentably distinguishes over the prior art.

In addition, **Sobue** does not teach or suggest any “alternative table” that is “different from a tray set table.” The Office Action stated “the memory for registering paper size information of tray 9 is considered a tray set table while the memory for registering paper size information of tray 10 is

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considered an alternative table.” Nothing in **Sobue** supports this allegation. On the contrary, **Sobue** discloses a singular storage unit 16 utilized by the central control unit 13 in determining the paper size to use. There is no indication in **Sobue** for a separate table to contain paper size information for trays 9 and 10. Instead, the conventional approach is to use a single table to identify the paper sizes for all the trays in a printing system (*see e.g.*, form sheet memory 23 in **Shinohara**, USP 6,024,505). Moreover, independent claim 1 does not recite a separate “memory” for the tray set table and the alternative table. Instead, claim 1 recites separate “tables.” Again, there is no indication in **Sobue** that “separate tables” are used. For at least these further reasons, the present claimed invention patentably distinguishes over the prior art.

Rejections Under 35 U.S.C. §103

Claim 9 was rejected under 35 USC §103 over **Sobue** in view of **Shinohara** (USP 6,024,505). Claim 12 was rejected under 35 USC §103 over **Sobue** in view of **Obara** (USP 5,544,875). Nothing in these further references to **Shinohara** or **Obara** remedies the deficiencies in the primary reference to **Sobue** as discussed above. Therefore, these rejections under §103 should be withdrawn.

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If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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